

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JASMINE L. MCGREW, CHIANTA C. JENKINS,
and FALLON M. BELL

Plaintiffs,

-v.-

Civil Action No.
6:13-cv-792 (GLS/TWD)

JAMES HOLT, Individually and as police officer
of the City of Utica, New York, MARK RAHN,
Individually and as a police officer of the City of
Utica, New York, PATRICK MURPHY, Individually
and as a police officer of the City of Utica, New York,
JOSHUA HARRINGTON, Individually and as a
police officer of the City of Utica, New York, JOHN
DOE, a fictitious name intended to represent one or
more Police Officers of the City of Utica, New York,
whose identities are unknown at present, and THE
CITY OF UTICA, NEW YORK

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFFS:

Office of Stephen L. Lockwood
285 Genesee Street
Utica, New York 13501

STEPHEN L. LOCKWOOD, ESQ.
DANIEL N. CAFRUNY, ESQ.

FOR THE DEFENDANTS:

Office of Corporation Counsel
City of Utica
1 Kennedy Plaza
Utica, New York 13502

JOHN P. ORILIO, ESQ.
MARK C. CURLEY, ESQ.
MERIMA SMAJIC, ESQ.
ZACHARY C. OREN, ESQ.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Therese Wiley Dancks, duly filed December 9, 2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

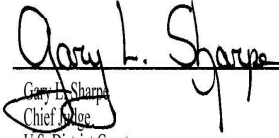
ORDERED that the Report-Recommendation of Magistrate Judge Therese Wiley Dancks filed December 9, 2014 (Dkt. No. 53) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that Defendants' motion for a finding of spoliation and sanctions in the form of an adverse inference (Dkt. No. 46) is DENIED; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

Dated: January 16, 2015
Albany, New York



Gary L. Sharpe
Chief Judge
U.S. District Court